

**Memorandum to the File**  
**Case Closure**  
**Alleged Threats**  
Office of Human Resources and Administration  
(2011-00198-IQ-0002)

The VA OIG Administrative Investigations Division investigated an allegation that during a VA Performance Review Board (PRB) meeting held on November 30, 2010, [REDACTED]

(b) (7)(C)

[REDACTED] made a threatening comment when he became angry over a refusal to lower a senior executive performance rating. The intended recipient of the alleged threat was never identified by name; however, through the course of our investigation it became evident that the alleged threat, if true, was intended for [REDACTED] Office of Acquisitions, Logistics, and Construction (OLAC). We investigated other allegations, and those finds were reported in a separate memorandum.

To review this allegation, we obtained sworn testimony from [REDACTED] and three other individuals who were present during the PRB meeting. We also obtained an unsworn statement from the [REDACTED] and we reviewed handwritten notes and typed minutes of the PRB meeting. We did not substantiate this allegation.

(b) (7)(C)

VA policy prohibits employees from fighting, threatening, attempting or inflicting bodily injury to another and prescribes penalties ranging from reprimand to removal. VA Handbook 5021, Part I, Appendix A, Section 2(15).

[REDACTED] told us that he did not make any threatening comments at any time during the PRB meeting. He said that the meeting was long, starting around 1:00 p.m. and ending about 9:00 or 9:30 p.m. and that towards the latter part of the meeting, there were contentious discussions among the Board Members involving senior executive performance ratings proposed by OLAC. [REDACTED] further said that he opposed the high ratings for the OLAC senior executives, because the ratings as a whole did not conform to the guidance the VA Secretary issued to the PRB, and he said that the high ratings also suggested that all members of OLAC's executive corps significantly outperformed all other senior executive in VA. [REDACTED] told us that he took issue with OLAC's position, and at times, he spoke passionately about what he believed were the specific failures of [REDACTED] OLAC, to provide contracting support. [REDACTED] further said that he was candid and unrestrained in making his comments about [REDACTED] however, he categorically denied making any threatening comments, such as the alleged "slit throat" comment, towards anyone.

(b) (7)(C)

We interviewed appointed PRB members, [REDACTED] and [REDACTED] both of whom were present during the November 30 PRB meeting. We also interviewed [REDACTED]

(b) (7)(C)

detailed to [REDACTED]'s immediate office, who was also present at the PRB meeting as an HR subject matter expert. All three attendees told us that [REDACTED] strongly expressed his disagreement with OLAC's proposed ratings, and more specifically, with [REDACTED]'s proposed rating. They described [REDACTED]'s comments as being "strong" or "passionate;" however, they said that at no time did they hear [REDACTED] make any threatening comments, whether related to the alleged statement or otherwise.

(b) (7)(C)

We also spoke to [REDACTED] OLAC, who was not present during the meeting but who was OLAC's rating official and the person to whom the alleged threatening comments was directed, if true. [REDACTED] told us that after the PRB meeting, [REDACTED] told him that [REDACTED] opposed the ratings for OLAC's senior executives, generally and that he strongly disagreed with the proposed rating for [REDACTED]. However, [REDACTED] told us that [REDACTED] never mentioned to him, nor did he hear from any other source, that [REDACTED] made or directed any threatening comment towards him or towards anyone else. Handwritten administrative notes taken during the PRB meeting, as well the official typed minutes of the meeting, reflected that there were chaotic discussions about the proposed ratings for OLAC senior executives, including [REDACTED] however, there was nothing recorded indicating that [REDACTED] made any kind of threatening comment during the meeting.

(b) (7)(C)

#### Conclusion

We did not substantiate the allegation that [REDACTED] made a threatening comment during the November 30, 2010, PRB meeting. In addition to [REDACTED]'s denial, [REDACTED] and [REDACTED] all of whom were present during the PRB meeting, told us that at no time did they hear [REDACTED] make any threatening comment during the meeting. Furthermore, [REDACTED] to whom the alleged threat was intended, told us that no one told him that [REDACTED] made any such threatening comment. Finally, there was nothing recorded within the notes or minutes of the PRB meeting reflecting that [REDACTED] made a threatening comment. This allegation is being closed without issuing a formal report or a memorandum.

(b) (7)(C)

Prepared by: [REDACTED]

4/11/2011  
Date

Approved by: [REDACTED]

4/11/11  
Date